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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/706,021

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Arnaud Fausse

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OSHA LIANG L.L.P.  
TWO HOUSTON CENTER  
909 FANNIN, SUITE 3500  
HOUSTON, TX 77010

EXAMINER

REZA, MOHAMMAD W

ART UNIT

PAPER NUMBER

2436

NOTIFICATION DATE

DELIVERY MODE

08/20/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com  
buta@oshaliang.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/706,021	<b>Applicant(s)</b> FAUSSE, ARNAUD	
	<b>Examiner</b> MOHAMMAD W. REZA	<b>Art Unit</b> 2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This is in response to the arguments filed on 05/13/2009.
2. Claims 7-16 are pending in the application.
3. Claims 7-16 have been rejected.

### ***Response to Arguments***

4. Applicant's arguments filed on 05/13/2009 have been fully considered but they are not persuasive.

In response to applicant's arguments, the recitation authentication device has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the explanation has been given for the protected device) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). According to the claim, the protected device acting as a connector between storage device and the display device (a protected device connected to storage device and a display device wherein the protected device is

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connected with storage device and display device through the input/output link). The applied Ozil's reference teaches the same principle that the coupling device connects processing device and the peripheral device (col. 1, lines 39-65, col. 2, lines 54-66). Now the concern is the coupling device used by the Ozil's invention is protected or not. Ozil's coupling device performs the permission of access between the processing devices and the peripheral device and it also manage the access request and the access availability of the processing devices to the peripheral device (col. 1, lines 45-54). In deed the coupling bus controller which contains a microprocessor controls the access availability of the peripheral device for the processing device (col. 3, lines 41-52). All these cited portions prove that the coupling device acts as a connector between the processing device and the peripheral device while it assures some extent of protection as well. Further, Mooney's invention more specifically teaches that a microprocessor controlled card reader which establishes connection between internal devices of the computer is secure device which is capable of performing cryptographic security check (col. 1, lines 1, 60-67, col. 4, lines 1-19, lines 31-44). Furthermore, this card reader is also able to confirm the authenticity of the user (col. 2, lines 9-19, col. 5, lines 45-65). As Ozil's invention teaches a microprocessor based coupling device which establishes the connection between processing devices and peripheral device and Mooney's invention teaches that secure microprocessor based card reader which also act as serial data control connection between computer system with authentication capability. Therefore, any ordinary skill in the art would have motivated to combine these two

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teachings to conclude the claim invention. As a result, applicant's arguments have been respectfully traversed and sustained the rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozil et al hereafter Ozil (US patent 4,682,285) in view of Mooney et al hereafter Mooney (US Patent 5,515,440).

4. As per claim 7, Ozil discloses an device comprising: message storage device, a protected device connected to said storage device, a display device connected to said protected device, characterized in that the protected device is constituted by a microprocessor card provided with inputs/outputs I1/O2 of commands/data for the link with said storage device and I2/O2 of display for the link with said display device, physically separate (col. 1, lines 50-67, col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50). Although, Ozil discloses the peripheral device. He does not expressly disclose the display device. In the same field of endeavor, Mooney discloses the microprocessor controlled protected device which is connected to the display device performs the protection and authentication (col. 2, lines 9-19, 5, lines 45-65, 4, lines 1-19).

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Accordingly, it would be obvious to one of ordinary skill in the network security art at the time of invention was made to have incorporated Mooney's teachings of display device with the teachings of Ozil, for the purpose of suitably using the coupling device for connection the storage device and displaying device with separated link.

5. As per claim 8, Ozil discloses the authentication device characterized in that the only logic link between the commands/data circulating between said protected device and said storage device on one hand and data circulating between said protected device and said display device on the other hand, is the software of said protected device (col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50).

6. As per claim 9, Ozil does not disclose the authentication device characterized in that said display device is a printer, a screen, or a filing device. However, Mooney discloses the authentication device characterized in that said display device is a printer, a screen, or a filing device (summary, col. 4, lines 1-45).

The same motivation that was utilized in the combination of claim 7 applies equally as well to claim 9.

7. As per claim 10, Ozil discloses microprocessor card able to be connected to a message storage device and to a display device, characterized in that it is provided with inputs/outputs I1/01 of commands/data for the link with said storage device and I2/02 of display for the link with said display device, physically separate (col. 1, lines 50-67, col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50). Although, Ozil discloses the peripheral device. He does not expressly disclose the display device. In the same field of endeavor, Mooney discloses the display device (summary, col. 4, lines 1-45).

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The same motivation that was utilized in the combination of claim 7 applies equally as well to claim 10.

8. As per claim 11, Ozil discloses the microprocessor card according to claim 10, characterized in that the only logic link between the commands/data circulating between said microprocessor card and said storage device on one hand and data circulating between said microprocessor card and said display device on the other hand, is the software of said card (col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50).

9. As per claim 12, Ozil discloses the microprocessor card characterized in that it comprises a physically separate inlet to enter a confidential code (col. 1, lines 50-67, col. 2, lines 1-14, lines 44-67).

10. As per claim 13, Ozil discloses a box able to receive a protected device and able to be connected to a message storage device and to a display device, characterized in that it comprises a data/command circuit for the link with said storage device and a display circuit for the link with said display device, the inlets/outlets of said data/command circuit and said display circuit being electrically independent (col. 1, lines 50-67, col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50). Although, Ozil discloses the peripheral device. He does not expressly disclose the display device. In the same field of endeavor, Mooney discloses the display device (summary, col. 4, lines 1-45).

The same motivation that was utilized in the combination of claim 7 applies equally as well to claim 13.

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11. As per claim 14, Ozil discloses the box characterized in that the only logic link between the data circulating in the data/commands and display circuits is the software of said protected device (col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50).

12. As per claim 15, Ozil discloses the box characterized in that it comprises a keyboard allowing to enter data, such as a confidential code (col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50).

13. As per claim 16, Ozil discloses an authentication device comprising storage device, a protected device connected to said storage device, a display device connected to said protected device to form a secure environment, wherein the protected device comprises a microprocessor card, the microprocessor card being configured to form a bridge between the storage device and the display device, and wherein the storage device is an uncertain zone and the display device is a certain zone (col. 1, lines 50-67, col. 2, lines 1-14, lines 44-67, col. 3, lines 1-50). Although, Ozil discloses the peripheral device. He does not expressly disclose the display device. In the same field of endeavor, Mooney discloses the display device (summary, col. 4, lines 1-45).

The same motivation that was utilized in the combination of claim 7 applies equally as well to claim 16.

### **Conclusion**

**14. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final



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action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad w. Reza whose telephone number is 571-272-6590. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **MOAZZAMI NASSER G** can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Nasser G Moazzami/  
Supervisory Patent Examiner, Art Unit 2436

/Mohammad W Reza/  
Examiner, Art Unit 2436